

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

.. . . . :
WHITE COAT WASTE PROJECT, :
 :
 :
 Plaintiff, : **Civil Action No. 3:17-CV-00719**
 :
 vs. :
 :
 GREATER RICHMOND TRANSIT :
 COMPANY, :
 :
 Defendant. :
 :
 :

STIPULATION FOR AWARD OF ATTORNEYS' FEES AND COSTS

Plaintiff White Coat Waste Project and Defendant Greater Richmond Transit Company
through their undersigned counsel stipulate as follows:

1. White Coat Waste Project challenged the Greater Richmond Transit Company's denial of a proposed advertisement. White Coat Waste prevailed in part. ECF Nos. 39 & 40. This Court ordered White Coat Waste Project to move for an award of its reasonable costs, expenses, and attorneys' fees in accordance with 42 U.S.C. § 1988 by June 26, 2020. ECF No. 40.
2. In the interest of resolving this matter without further litigation and the further accumulation of attorneys' fees and costs, the parties have reached an agreement for an award of attorneys' fees and costs. Greater Richmond Transit Company shall pay, and White Coat Waste Project has agreed to accept, the sum total of ninety thousand dollars (\$90,000) in full settlement of the attorneys' fees, costs, and expenses due to White Coat

Waste Project pursuant to 42 U.S.C. § 1988 and the Court’s May 30, 2020 Memorandum Opinion and Order.

3. Greater Richmond Transit Company intends to pursue an appeal of the Court's May 30, 2020 Memorandum Opinion and Order to the Fourth Circuit Court of Appeals. The parties agree, and otherwise stipulate, that Greater Richmond Transit Company's obligation to tender the attorneys' fees and costs award should be suspended until final disposition of appellate proceedings related to the merits. Post-judgment interest under 28 U.S.C. § 1961 shall accrue from June 29, 2020 on any amount of attorneys' fees and costs eventually held owing at a rate of 0.19% annually. Greater Richmond Transit Company's obligation to pay this award is suspended until final disposition of the appeal, and is conditioned upon White Coat Waste remaining a prevailing party in light of those appellate proceedings.
4. The parties request that no bond be required of Greater Richmond Transit Company with respect to this matter.
5. White Coat Waste Project reserves the right to seek additional fees and costs associated with the appeal or any post-appeal proceedings.
6. The parties request that the Court enter an order approving their Joint Stipulation. A proposed order to that effect is attached to this stipulation.

Date: June 29, 2020

Respectfully submitted,

/s/

Jeffrey E. Fogel, VSB #76345
Attorney at Law
913 E. Jefferson Street
Charlottesville, VA 22902
434-984-0300 (Tel)
434-220-4852 (Fax)
jeff.fogel@gmail.com

Matthew Strugar
pro hac vice
Law Office of Matthew Strugar
3435 Wilshire Blvd., Suite 2910
Los Angeles, CA 90010
323-696-2299
matthew@matthewstrugar.com

Attorneys for Plaintiff White Coat Waste Project

/s/
Richard E. Hill, Jr. (VSB #44164)
Assistant City Attorney
Office of the City Attorney
900 East Broad Street, Suite 400
Richmond, VA 23219
Telephone: (804) 646-7946
Facsimile: (804) 646-5743
Richard.E.Hill@richmondgov.com

Counsel for Greater Richmond Transit Company

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June 2020, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

Jeffrey E. Fogel
913 E. Jefferson Street
Charlottesville, VA 22902
jeff.fogel@gmail.com

Matthew Daniel Strugar
Law Office of Matthew Strugar
3435 Wilshire Blvd.
Suite 2910
Los Angeles, CA 90010
matthew@matthewstrugar.com
PRO HAC VICE

_____/s/_____
Richard E. Hill, Jr., Esquire (VSB #44164)
Senior Assistant City Attorney
City Hall, Room 400
900 East Broad Street
Richmond, VA 23219
Telephone: (804) 646-7946
Facsimile: (804) 646-7939
Email: Richard.E.Hill@richmondgov.com
Counsel for Defendant GRTC